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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,510	03/17/2004	Aravind Doss	ITL.0902US (P15219)	3982
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TROP PRUNER & HU, PC 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631			EXAMINER FATEHI, PARHAM R	
			ART UNIT 2194	PAPER NUMBER
			MAIL DATE 08/08/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/802,510

Applicant(s)

DOSS ET AL.

Examiner

Parham (Paul) R. Fatehi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☒ Claim(s) 5, 21, 26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-37 are pending in this application.

Claim Objections

2. Claims 5, 21 & 26 are objected to because of the following informalities: claim 5 recites "cancel5" and should be changed to "5" or else cancelled; claim 21 recites "vendors.." and should be changed to "vendors."; claim 26 recites "receiving" and should be changed to "receive". Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. **Claims 26, 28-30, 32-34, 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Evans (US 2003/0177279).**
5. As per claim 26, Evans discloses using a subscriber to a publish-subscribe messaging protocol to receiving a message published via the protocol (Par. 10, In 1-4, publish-subscribe messaging protocol).

6. Evans does not explicitly disclose communicating the message to multiple non-subscribers. Moreover, Evans discloses that messages are sent to receivers in the system (Par. 32, ln. 1-21 & see Fig. 3). One of ordinary skill in the art, at the time the invention was made, would have recognized that Evans implies communicating messages to multiple non-subscribers in order to determine if they are subscribers.
7. As per claim 28, Evans does not explicitly teach generating multiple messages to the non-subscribers. Moreover, Evans discloses that messages are sent to receivers in the system (Par. 32, ln. 1-21 & see Fig. 3). One of ordinary skill in the art, at the time the invention was made, would have recognized that Evans implies communicating messages to multiple non-subscribers in order to determine if they are subscribers.
8. As per claim 29, Evans discloses converting the received message from a first language format into a second language format, wherein the communicating the message comprises communicating the message in the second language format (Par. 12, ln. 1-17, converting and communicating the received message from a first data format to a second data format).

9. As per claim 30, Evans discloses a first component to subscribe to a publish-subscribe messaging protocol to receive a message published via the protocol (see subscriber adapter #25 in Fig 2 & Par. 10, ln 1-4, publish-subscribe messaging protocol).
10. Evans does not explicitly disclose a second component that is used for communicating the message to multiple non-subscribers. Moreover, Evans discloses that messages are sent to receivers in the system (Par. 32, ln. 1-21 & see component of Fig. 3). One of ordinary skill in the art, at the time the invention was made, would have recognized that Evans implies communicating messages to multiple non-subscribers in order to determine if they are subscribers.
11. As per claim 32, it recites the same limitations as claim 30, and is therefore rejected based upon the same reasons, further since claims 30-33 are the system equivalent claims to methods 26-29.
12. As per claim 33, it recites the same limitations as claim 29, and therefore rejected based upon the same reasons, further since claims 30-33 are the system equivalent claims to methods 26-29.

13. As per claim 34, Evans discloses a subscriber to a publish-subscribe messaging protocol to receive a message published via the protocol (Par. 10, ln 1-4, publish-subscribe messaging protocol).
14. Evans does not explicitly disclose communicating the message to multiple non-subscribers of the protocol. Moreover, Evans discloses that messages are sent to receivers in the system (Par. 32, ln. 1-21 & see Fig. 3). One of ordinary skill in the art, at the time the invention was made, would have recognized that Evans implies communicating messages to multiple non-subscribers in order to determine if they are subscribers.
15. Claim 36 recites the same limitations as claim 34 and is rejected based upon the same reasons, further since claims 34-37 are the article of manufacture equivalent claims to methods 26-29.
16. As per claim 37, it recites the same limitations as claim 29, and is therefore rejected based upon the same reasons, further since claims 34-37 are the article of manufacture equivalent claims to methods 26-29.
17. **Claims 1-6, 8-14, 16-22 & 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marcos et Al (US 2002/0032803).**

18. As per claim 1, Marcos discloses providing a first request to access a function associated with a first object model; the first request into a second request associated with a second object model different from the first object model; and creating an object associated with the second object model in response to the second request (Par. 105, access function associated with first object model and then second request associated with second object model different from first and creating an object associated with second object model & Par. 7, see Object Request Broker).

19. Marcos fails to explicitly disclose that the request is converted. Whereas, he mentions the message that is sent to the first object model and is later sent to the second object model and that message translation occurs (Par. 26, ln. 1-12). It would have been obvious to one of ordinary skill in the art at the time the invention was made that conversion must occur to enable a message that is compatible with a first object model to become compatible with a second, different object model.

20. As per claim 2, Marcos discloses executing a script to create the second request (Par. 108, ln 1-4, automation and scripting execution). It is also rejected under the same reasons as claim 1.

21. As per claim 3, Marcos discloses retrieving a script in response to the first request (Marcos, Par. 21, In 2-7, retrieving & Par. 7, In. 8-10, response to request & Par. 108, scripts). It is also rejected under the same reasons as claim 1.
22. As per claim 4, Marcos discloses converting between protocols from different vendors (Marcos, Par. 7, In 1-14, converting between protocols from different vendors). It is also rejected under the same reasons as claim 1.
23. As per claim 5, Marcos discloses the first object model comprises an ROF object model and the second object model comprises a COM object model (Par. 54, In 1-2, framework for remote object & Par. 45, In 1-4, component object model). It is also rejected under the same reasons as claim 1.
24. As per claim 6, Marcos discloses first request is associated with fabrication of an integrated circuit (Par. 41; In 1-4, associated with microprocessor). It is also rejected under the same reasons as claim 1.
25. As per claim 8-9, Marcos discloses providing a mechanism to discover services and distributing agents on different servers. (Par. 11, In 1-8, stubs for and skeletons on different servers function to discover services and have distributing agent functionality). It is also rejected under the same reasons as claim 1.

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26. As per claim 10, it is a system claim with the same limitations as the method in claim 1 and is rejected under the same reasons.

27. As per claim 11, Marcos discloses the first component executes at least one script to create the second request (Par. 108, ln 1-4, automation and scripting execution).

28. As per claim 12, it is a system claim with the same limitations as the method in claim 3 and is rejected under the same reasons.

29. As per claim 13, it is a system claim with the same limitations as the method in claim 4 and is rejected under the same reasons.

30. As per claim 14, it is a system claim with the same limitations as the method in claim 6 and is rejected under the same reasons.

31. As per claim 16, it is a system claim with the same limitations as the method in claim 8 and is rejected under the same reasons.

32. As per claim 17, it is a system claim with the same limitations as the method in claim 9 and is rejected under the same reasons.

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33. As per claim 18, it is an article of manufacture claim with the same limitations as the method in claim 1 and is rejected under the same reasons.

34. As per claim 19, it is an article of manufacture claim with the same limitations as the method in claim 2 and is rejected under the same reasons.

35. As per claim 20, it is an article of manufacture claim with the same limitations as the method in claim 3 and is rejected under the same reasons.

36. As per claim 21, it is an article of manufacture claim with the same limitations as the method in claim 4 and is rejected under the same reasons.

37. As per claim 22, it is an article of manufacture claim with the same limitations as the method in claim 6 and is rejected under the same reasons.

38. As per claim 24, it is an article of manufacture claim with the same limitations as the method in claim 8 and is rejected under the same reasons.

39. As per claim 25, it is an article of manufacture claim with the same limitations as the method in claim 9 and is rejected under the same reasons.

40. Claims 7, 15 & 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marcos, and further in view of Gould (US 6,782,539).

41. As per claims 7, 15 & 23, Marcos substantially teaches the invention as claimed but fails to further disclose converting between asynchronous and synchronous communication.

42. Whereas, Gould teaches converting between asynchronous and synchronous communication (col. 10, ln 55-59, converting between asynchronous and synchronous communication & see Fig. 16, asynchronous / synchronous converter). One of ordinary skill in the art, at the time the invention was made, would have modified the teachings of Marcos to include the method of converting between asynchronous and synchronous communication, of Gould, in order to enable translation of requests between different types of object models.

43. Claims 27, 31 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Evans in view of Marcos.

44. As per claims 27, 31 and 35, Evans substantially discloses the invention as claimed but fails to further disclose that the non-subscribers comprise COM clients. Whereas, Marcos teaches COM clients in a messaging protocol that consists of at least two messaging frameworks that function as a publisher and

subscriber (Marcos, Par. 105). One of ordinary skill in the art, at the time the invention was made, would have modified the teachings of Evans to include the COM clients as taught by Marcos in order to enable multiple frameworks to properly communicate the same requests in different languages.

Conclusion

45. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Parham (Paul) R. Fatehi whose telephone number is 571-270-1407. The examiner can normally be reached on M-Th 9:30AM-8PM EST, off Fridays.
46. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571)272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
47. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Fatehi 08/06/2007

William Thomson
WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER